

459057

Enclosure F - AMENDED ANSWERS OF RICHARD HELLER

Amended Answers to Information Requested:

1. The tenants or former tenants listed in Question No. 1 did not have written lease arrangements or agreements with Mr. Richard Heller and/or Clearview Land Development Company, to his knowledge.

(a) City Wide Services, Inc. This Company had an oral lease agreement with Mr. Edward Heller and, over the years, paid varying amounts of rent from between \$2,000 - \$5,000 on a monthly basis. No rent has been paid since the death of Edward Heller. City Wide Services, Inc. has always been a subtenant of Richard Heller. In addition to the aforesaid monthly payments, the verbal lease arrangement called for Mr. Richard Heller to pay all real estate taxes on the property on a yearly basis. *See Exhibit "A"*

(b) Bob O'Donnell Company - This Company is a subtenant of Richard Heller and has a verbal lease agreement for a portion of the property leased by Richard Heller from Clearview Land Development Company. Rent is \$800. per mo. paid to R. Heller

(c) Hercules Hose Company - This Company is no longer a tenant but did in the past have a verbal lease agreement with City Wide Services, Inc.

(d) DiLorenzo Company - This Company is no longer a tenant but did in the past have a verbal lease agreement with Mr. Richard Heller.

(e) Robert Cianci Vehicle Junkyard - This Company is no longer there because they failed to pay rent and subsequently moved.

(f) Roma Associates - This Company is no longer there because they failed to pay rent and subsequently moved.

(g) Piotti Construction - This Company pays the sum of \$400 to Richard Heller per month per verbal lease agreement.

(h) C&E Transfer Companies - This Company has never been a tenant and has never paid rent to anyone, however, they were allowed the use of some of the facilities at the site for equipment and business purposes as a courtesy extended by Mr. Richard Heller to his wife, Faye Heller.

(i) Philly Fasteners, Inc. - This Company has never been a tenant and has never paid rent to anyone, however, they were allowed the use of some of the facilities at the site for equipment and business purposes as a courtesy extended by Mr. Richard Heller to his wife, Faye Heller.

(j) Enforcement Towing - This was a former tenant of Mr. Richard Heller and this Company paid rent per verbal agreement to Mr. Heller in the amount of \$1,000.00 per month. Moved out in Oct. 1997 or 1998. oral lease.

1. (j) continued

Suburban Waste Services, Inc. - Written Lease, attached as Exhibit "A", hereto.

Kenny's Auto Repair-- Current tenant paying \$500.00 per month to Mr. Richard Heller.

H. AND H. Disposal - This company is owned by Jonathan and Michael Heller, is a current tenant, and pays no rent.

Lester Hart & Son - Former tenant moved out in 1996, paid \$1,000.00 per month to Mr. Richard Heller.

Bizzari Hauling - Friend of Heller family; paid no rent and left in 1995 or 1996..

2. Answered in response to 31 above.

3. It was always the understanding of Mr. Richard Heller that his mother, Ethel Heller, owned at least 99% of all outstanding stock issued by the Clearview Land Development Company, Inc. Mr. Richard Heller also believes that by virtue of her stock ownership, she also owned, at least in name only, the Clearview Land Development Company and its assets, which include the site at 84th Street and Buist Avenue. The property itself is titled under the name of Clearview Land Development Company, Inc. Therefore, technically speaking, Clearview Land Development Company, Inc., a Pennsylvania corporation, is the owner of the subject property.

4. Mr. Richard Heller personally paid the real estate taxes on the subject property from 1974 to present, as part of the lease agreement between himself and the Clearview Land Development Company, Inc.

5. Refer to answer to No. 4.

6. Mr. Richard Heller has been advised by his former attorney, James A. Lynch, Sr., now deceased, that his mother, Ethel Heller, died intestate. Mr. Richard Heller does not know if her estate was ever probated by her husband, Mr. Edward Heller, nor does he know as to whether or not her share in the Clearview Land Development Company were ever transferred to other individuals.

7. Mrs. Ethel Heller died on October 25, 1995.

8. Mr. Heller has no access nor copies of the requested tax returns and has no idea whatsoever if they were even filed.

9. Mr. Heller has no copies of any probate filings in any state for the Estate of Ethel Heller. However, the executors of the Estate of Edward I. Heller, are his daughters, Barbara Shapiro and Corrine Fishman, both of the State of Florida, and they may have probate filings that were filed in connection with the Ethel Heller Estate.

10. Mr. Heller has none of the records requested in this paragraph, nor does he know them to exist. However, he suspects that if any of these documents do exist, they were in the

possession of his father, now deceased.

11. Refer to Answer to Question 10.

12. Refer to Answers provided to Questions 9, 10 and 11.

13. Mr. Richard Heller has no knowledge that Ethel Heller created any trust or was the beneficiary of any trust.

14. Mr. Heller has no knowledge of any such transactions.

15. Refer to Answers to Questions 9, 10 and 11.

16. Mr. Richard Heller believes that the Executor of Ethel Heller's Estate was his father, Edward Heller, also known as Isadore Edward Heller.

17. Mr. Richard Heller has no knowledge as to the assets of his mother's estate nor does he know whether her stock, if any, was ever distributed.

18. Mr. Richard Heller has no knowledge as to the last date by which creditors were permitted to file claims against the Estate of Ethel Heller as he was not involved in the disposition of her Estate or her assets.

19. Mr. Richard Heller has been advised that his mother had no Will and he does not believe her Estate was ever probated as all of this was the responsibility of his father.

20. Mr. Edward Heller died on October 11, 2000.

21. Mr. Richard Heller has no copies of the requested tax returns, nor does he know whether or not they exist.

22. Mr. Richard Heller has no copies of any probate filings. The Executors of his father's Estate were Edward Heller's two daughters, Barbara Shapiro and Corrine Fishman, both of the State of Florida.

Mr. Heller may also be a personal representative, but he has played no role in settling the estate except to co-sign documents in the sale of father's Montego Bay condominium.

Mr. Heller will request and secure any documents requested by your agency from Michael Eisler, Esq. He has requested copies of all estate filings from his sisters, and they have assured him they will forward copies to him. Upon receipt, they will be sent to your agency immediately.

23. Mr. Richard Heller has no personal knowledge nor does he have copies of the requested documents.

24-27. Refer to Answers to Questions 22 and 23.

28. Mr. Richard Heller has been advised that the only assets of his father's Estate were a condominium in Miami Beach, Florida. It is his understanding that the condominium was sold and the proceeds were divided and he received the sum of either \$2,500 or \$3,500, as his share.

29. Barbara Shapiro and Corrine Fishman Richard Heller

30. Refer to Answers to Questions 22 and 23.

31. Refer to Answer to Question 22.

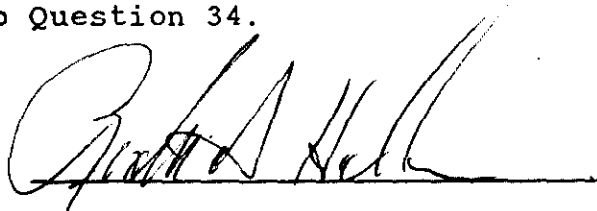
32. Mr. Richard Heller does not have any of these documents but has requested that they be sent to him by his Co-Executors. He will forward copies to you ASAP.

33. Mr. Richard Heller was advised by Bankruptcy counsel to list an "equitable interest" in the property located at Avenue A and Darby Creek Road, Darby Township, PA. Mr. Heller personally has no idea as to the extent of his equitable interest in the property, if any. He is still a tenant at the property by virtue of a long-standing verbal lease agreement with Clearview Land Development Company, but he is paying no monthly rental.

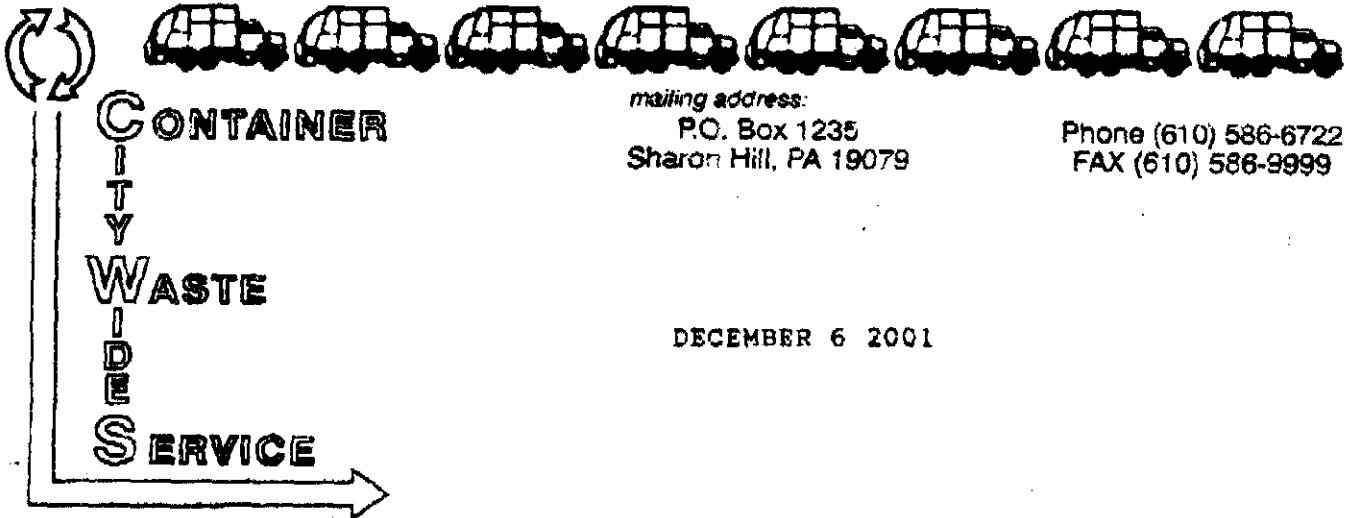
34. Mr. Heller does not have any company known as C&E Transfer Company. He owns no stock in the aforesaid company, nor is he an officer, director or employee.

35. Refer to Answer to Question 34.

DATE: AUGUST 2, 2002

A handwritten signature in black ink, appearing to read "Robert A. Hall", is written over a horizontal line.

# **EXHIBIT A**



RE: DARBY TOWNSHIP TRASH CONTRACT

SUBURBAN WASTE SERVICE AGREES TO REMOVE ALL RUBBISH AND WASTE FROM DARBY TWP. ACCORDING TO THE SPECIFICATIONS IN THE CONTRACT SIGNED BY CITY WIDE SERVICE AND DARBY TOWNSHIP FOR A PERIOD OF THREE YEARS NAMELY JANUARY 1 2001 to *see MHL* DECEMBER 31 2005:

CITY WIDE SERVICE WILL PAY TO SUBURBAN WASTE SERVICE THE SUM OF 19,000.00 PER. MONTH (NINETEEN THOUSAND) DOLLARS FOR THESE SERVICES

CITY WIDE SERVICE WILL ALLOW SUBURBAN WASTE SERVICE THE USE OF THREE DAYS OF GARAGE SPACE AT THE DARBY TWP. SITE FOR THE LENGTH OF THIS AGREEMENT AT NO CHARGE.

EITHER PARTY MAY CANCEL THIS AGREEMENT BY GIVING TO THE OTHER SIXTY (60) DAYS WRITTEN NOTICE.

ON BEHALF OF CITY WIDE SERVICE

*Michael Feltz*

ON BEHALF OF SUBURBAN WASTE SERVICE

*Luigi E. D'Amico*



*Edward and Ethel Heller*

*10180 W. Bay Harbor Drive, Apt. 2A*

*Bay Harbor, Florida 33154*

*866-5280*

October 28, 1996

To Whom This May Concern:

I, Edward Heller, have received for the years 1992, 1993, and 1994, \$24,000 each year for rent from City Wide Service, Inc.

*Edward Heller*

Edward Heller

Subscribed before me this 28th day of October, 1996,  
by Edward Heller, who is personally known to me.

*Barbara O. McKee*  
Notary Public State of Florida

